

In the Supreme Court of the State of Alaska

Eric Forrer,

Appellant,

v.

**State of Alaska and Lucinda
Mahoney, Commissioner of the
Alaska Department of Revenue in her
official capacity,**

Appellees.

Supreme Court No. **S-17377**

Order

Date of Order: **3/5/21**

Trial Court Case No. **1JU-18-00699CI**

Eric Forrer has submitted a supplemental motion requesting attorney's fees incurred in connection with the State's petition for rehearing. He requests full reasonable fees in the amount of \$23,774.50. The State opposes this request arguing there is no authority for this award, that the motion is untimely, and that the requested fees are unreasonable.

Appellate Rule 508(f)(2) does not set a clear deadline for this type of request. Any implied deadline is therefore extended pursuant to Appellate Rule 502(b). There appears to be no statutory restriction on an attorney's fees award, which otherwise appears to be authorized by AS 09.60.010(c)(1). But the amount requested does include fees for Sonja Kawasaki at a rate higher than previously awarded, the amount may include some administrative matters, and the amount appears to be quite high for the preparation of a six-page response on a limited issue.

IT IS THEREFORE ORDERED that the State of Alaska shall pay Eric Forrer additional fees incurred in connection with the State's petition for rehearing in the amount of \$20,000.

Entered by direction of an individual justice.

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Clerk of the Appellate Courts



Kaitlin D'Eimon, Deputy Clerk

cc: Judge Pate
Trial Court Clerk - Juneau

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